

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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LEAH BASSETT,  
Plaintiff,

v.

MONICA JENSEN, d/b/a NICA NOELLE; JON BLITT,  
in his Personal Capacity & d/b/a MILE HIGH MEDIA,  
ICON MALE, and TRANSSENSUAL; MILE HIGH  
DISTRIBUTION, INC.; JOSHUA SPAFFORD, d/b/a  
JOSHUA DARLING; APRIL CARTER, d/b/a DIANA  
DEVOE; TLA ENTERTAINMENT GROUP, d/b/a TLA  
GAY and TLA DISTRIBUTION; and GAMMA  
ENTM'T, d/b/a CHARGEPAV B.V.; WILLIAM  
GRAY, d/b/a BILLY SANTORO; and FIORE J.  
BARBINI, d/b/a HUGH HUNTER,  
Defendants.

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CIVIL ACTION  
No. 18-cv-10576-PBS

**DEFENDANTS MILE HIGH DISTRIBUTION, INC., JON BLITT, AND MONICA  
JENSEN'S STATUS REPORT REGARDING DISCOVERY**

Defendants Mile High Distribution, Inc. ("Mile High), Jon Blitt, and Monica Jensen (collectively, "Defendants") respectfully submit this status update regarding discovery.

Defendants don't believe that Plaintiff's 22-page diatribe was what the Court envisioned when it indicated to the parties that they may file a discovery status report. We won't address all the allegations set forth in Plaintiff's report here. Suffice it to say, though, that Defendants disagree with each and every factual assertion it contains.

Defendants view the current status of the discovery as follows:

In short, the cutoff for fact discovery in this case has passed. Over a year ago, the parties jointly proposed that all fact discovery and depositions be completed by July 30, 2019 in their Rule 26(f) Joint Statement. The Court adopted that proposal as its order. (Dkt. 25, 27).

Defendants completed their written discovery long ago. Plaintiff has served numerous sets of document requests and interrogatories on each of the Defendants, respectively.

In January, this Court even granted Plaintiff's request to exceed the discovery limits set forth in the Local Rules, by allowing her to re-propound certain requests and to serve additional interrogatories related to new topics. Despite that, Plaintiff didn't serve any additional discovery until June 15, 2019, approximately five months later.

In other words, despite Plaintiff's claims both in January and now that she urgently requires certain discovery, she sought:

- A grand total of one set of document requests and one set of interrogatories to Jon Blitt and Monica Jensen, respectively, over the past year (four total sets), and
- Then crammed five sets of document requests and interrogatories on Defendants within the 45 days ahead of the discovery cutoff.

Now Plaintiff is claiming that Defendants have so blatantly violated their discovery requirements that she needs to either extend the discovery cutoff to serve new, additional discovery or impose discovery sanctions.

This case has deadlines like every case. It's been pending since March 2018. The Defendants are ready and eager to move to the next phase of this case, including expert discovery, pre-trial motions, and preparation for trial. Each side has had the past year to make its needed discovery requests.

Everything that was propounded was responded to, with objections where appropriate. (And to the extent that discovery is outstanding from requests that were timely propounded prior to the discovery cutoff, the parties are conducting searches and providing discovery as appropriate.) If Plaintiff has an issue with a specific response, she can raise them in a meet and

confer with Defendants, which she has failed to do. If there is a disagreement following that, it can be litigated. Plaintiff's rambling status report provides no guidance as to where the issue is and is not a proper mechanism for doing so.

There exists no reason or good cause to extend the discovery cutoff deadline for additional discovery now.

Respectfully submitted,

/s/ Gary Jay Kaufman

Gary Jay Kaufman, Esq. Cal. SBN 92759

Noam Reiffman, Esq. Cal SBN 299446

*All admitted pro hac vice*

THE KAUFMAN LAW GROUP

1801 Century Park East, Suite 1430

Los Angeles, California 90067

gary@theklg.com

nreiffman@theklg.com

Phone: (310) 286-2202

*Attorneys for Jon Blitt, and Mile High  
Distribution, Inc.*

Stephen A. Roach, Esq. BBO 542138

Natalie R. Megaloudis, Esq. BBO 648408

ROACH, IOANNIDIS & MEGALOUDIS, LLC

50 Congress Street, Suite 400

Boston, MA 02109

roach@rimlawyers.com

nmegaloudis@rimlawyers.com

Phone: (617) 723-2800

Fax: (617) 723-4313

*Attorneys for Monica Jensen, Jon Blitt, and  
Mile High Distribution, Inc.*

Dated: August 12, 2019

CERTIFICATE OF SERVICE

I, Gary Jay Kaufman, Esq., attorney for the Defendants Jon Blitt and Mile High Distribution, Inc., hereby certify that a true copy of this document and was filed through the ECF system, and will be sent this date, August 12, 2019, electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: August 12, 2019

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/s/ Gary Jay Kaufman

Gary Jay Kaufman